



United States
Department of
Agriculture

Forest
Service

Rocky
Mountain
Region

740 Simms Street
Golden, CO 80401
Voice: 303-275-5350
TDD: 303-275-5367

File Code: 1570
WR 11-02-00-0046 (215)
Date: August 3, 2011

Robert W. and Dianna B Beltz
P.O. Box 197
Collbran, CO 81624

Dear Robert W. and Dianna B. Beltz:

We received your June 4, 2011 appeals of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeals were submitted in a timely fashion under the provisions of 36 CFR § 215.6 (a)(4). However, in order to have standing to appeal, an individual or organization must have: "Provided comment or otherwise expressed interest in a particular proposed action by the close of the comment period specified in Sec. 215.6." (36 CFR § 215.11(a))

The proposed White River National Forest Travel Management Plan and Draft Environmental Impact Statement (DEIS) were made available to the public for a 45-day formal comment period from July 28 to October 26, 2006. From November 7, 2008 to January 6, 2009, the White River National Forest released the Supplemental DEIS for the White River National Forest Travel Management Plan for another 45-day public comment period.

Pursuant to the regulations at 36 CFR 215.11(a) you did not provide comments or otherwise express interest during the comment period(s). Therefore, I am dismissing your appeals pursuant to 36 CFR § 215.11(a). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams. Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator, at 303-275-5470 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional Forester, Resources



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File Code: 1570
WR 11-02-00-0046 (215)
Date: August 3, 2011

Kyle Costanzo
PO Box 1072
Rifle, CO 81605

Dear Mr. Costanzo:

We received your May 26, 2011 appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6. Your appeal, while timely, does not show why the Forest Supervisor Fitzwilliams' decision should be reversed in accordance with 36 CFR § 215.14(b) (specifically 4, 5, 8, and 9):

- (4) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;
- (5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§215.11(d));
- (8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments;
- (9) How the appellant believes the decision specifically violates law, regulation, or policy.

Pursuant to 36 CFR § 215.14(a), it is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. An appeal review focuses on how a decision adheres to law, regulation, policy and consistency with the overall mission of the Forest Service (FSH 1509.12-35.3).

Unfortunately, without this information specifically articulated in your appeal, it would be difficult to render an appeal decision without considerable speculation and supposition regarding your concerns. Therefore, I am dismissing your appeal without review of the merits pursuant to 36 CFR § 215.16(a)(8). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.



Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator at 303-275-5470 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt

RANDALL KARSTAEDT

Appeal Deciding Officer

Acting Deputy Regional Forester, Resources



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File Code: 1570
Appeal No.: WR-11-02-00-0046 (215)
Date:

Tina & Clark Scott
6053 County Road 311
New Castle, CO 81647

Dear Mr. & Mrs. Scott:

We received your appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6 (a)(4).

However, in order to have standing to appeal, an individual or organization must have: "Provided comment or otherwise expressed interest in a particular proposed action by the close of the comment period specified in Sec. 215.6." (36 CFR § 215.11(a))

The proposed White River National Forest Travel Management Plan and Draft Environmental Impact Statement (DEIS) were made available to the public for a 45-day formal comment period from July 28 to October 26, 2006. From November 7, 2008 to January 6, 2009, the White River National Forest released the Supplemental DEIS for the White River National Forest Travel Management Plan for another 45-day public comment period.

Pursuant to the regulations at 36 CFR 215.11(a) you did not provide comments or otherwise express interest during the comment period(s). Therefore, I am dismissing your appeal pursuant to 36 CFR § 215.11(a). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.

Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator at 303-275-5470 OR cdean@fs.fed.us.

Sincerely,

/s/ *Randall Karstaedt*
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional
Forester, Resources





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WR 11-02-00-0046 (215)

Date: August 3, 2011

The Honorable Ramon V. Montoya
Mayor
Town of Red Cliff
P.O. Box 40
Red Cliff, CO 81649

Dear Mayor Montoya:

We received your June 7, 2011 appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6. Your appeal, while timely, does not show why the Forest Supervisor Fitzwilliams' decision should be reversed in accordance with 36 CFR § 215.14(b) (Specifically 5 and 9):

(5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§215.11(d));

(9) How the appellant believes the decision specifically violates law, regulation, or policy.

Pursuant to 36 CFR § 215.14(a), it is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. An appeal review focuses on how a decision adheres to law, regulation, policy and consistency with the overall mission of the Forest Service (FSH 1509.12-35.3). Unfortunately, without this information specifically articulated in your appeal, it would be difficult to render an appeal decision without considerable speculation and supposition regarding your concerns. Therefore, I am dismissing your appeal without review of the merits pursuant to 36 CFR § 215.16(a)(8). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.

Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator, at 303-275-5470 cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional Forester, Resources



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Date: August 3, 2011

Darren Stukes
285 Panoramic Drive
Silt, CO 81652

Dear Mr. Stukes:

We received your appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6 (a)(4). However, in order to have standing to appeal, an individual or organization must have: "Provided comment or otherwise expressed interest in a particular proposed action by the close of the comment period specified in Sec. 215.6." (36 CFR § 215.11(a)).

The proposed White River National Forest Travel Management Plan and Draft Environmental Impact Statement (DEIS) were available to the public for a 45-day formal comment period from July 28 to October 26, 2006. From November 7, 2008 to January 6, 2009, the White River National Forest released the Supplemental DEIS for the White River National Forest Travel Management Plan for another 45-day public comment period.

Pursuant to the regulations at 36 CFR 215.11(a) you did not provide comments or otherwise express interest during the comment period(s). Therefore, I am dismissing your appeal pursuant to 36 CFR § 215.11(a). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.

Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator at 303-275-5470 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional Forester, Resources





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Date: August 3, 2011

John van Teylingen
940 City Road 323
Rifle, CO 81650

Dear John van Teylingen:

We received your May 26, 2011 and June 4, 2011 appeals of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeals were submitted in a timely fashion under the provisions of 36 CFR § 215.6 (a)(4). However, in order to have standing to appeal, an individual or organization must have: "Provided comment or otherwise expressed interest in a particular proposed action by the close of the comment period specified in Sec. 215.6." (36 CFR § 215.11(a))

The proposed White River National Forest Travel Management Plan and Draft Environmental Impact Statement (DEIS) were made available to the public, for a 45-day formal comment period, from July 28 to October 26, 2006. From November 7, 2008 to January 6, 2009, the White River National Forest released the Supplemental DEIS for the White River National Forest Travel Management Plan for another 45-day public comment period.

Pursuant to the regulations at 36 CFR 215.11(a) you did not provide comments or otherwise express interest during the comment period(s). Therefore, I am dismissing your appeals pursuant to 36 CFR § 215.11(a). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams. Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator at 303-275-5470 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt
RANDALL KARSTAEDT
Appeal Deciding Officer
Acting Deputy Regional Forester, Resources





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Date: August 3, 2011

Jim White
Town Manager
Town of Minturn
P.O. Box 309
302 Pine Street
Minturn, CO 81645

Dear Mr. Jim White:

We received your June 17, 2011 appeal of Forest Supervisor Scott Fitzwilliams' March 17, 2011 Record of Decision for the White River National Forest Travel Management Plan. The legal notice initiating the appeal period for the decision was published in the Glenwood Springs Post Independent on May 4, 2011, and the appeal filing period closed on June 20, 2011. Your appeal was submitted in a timely fashion under the provisions of 36 CFR § 215.6. Your appeal, while timely, does not show why the Forest Supervisor Fitzwilliams' decision should be reversed in accordance with 36 CFR § 215.14(b)(6-9):

- (6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- (7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- (8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments;
- (9) How the appellant believes the decision specifically violates law, regulation, or policy.

Pursuant to 36 CFR § 215.14(a), it is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why the decision should be reversed. An appeal review focuses on how a decision adheres to law, regulation, policy and consistency with the overall mission of the Forest Service (FSH 1509.12-35.3). Unfortunately, without this information specifically articulated in your appeal, it would be difficult to render an appeal decision without considerable speculation and supposition regarding your concerns. Therefore, I am dismissing your appeal without review of the merits pursuant to 36 CFR § 215.16(a)(8). This determination does not constitute a formal appeal disposition pursuant to 36 CFR § 215.18(c).

We appreciate your interest in this planning project and hope that you are able to resolve your concerns through further discussions with Forest Supervisor Fitzwilliams.



Any questions related to the Forest Service appeal process may be directed to Cindy Dean, Acting Regional Appeals Coordinator at 303-275-5470 or cdean@fs.fed.us.

Sincerely,

/s/ Randall Karstaedt

RANDALL KARSTAEDT

Appeal Deciding Officer

Acting Deputy Regional Forester, Resources